

City Council Chambers 3300 Capitol Avenue Fremont, California

City Council

Bob Wasserman, Mayor Anu Natarajan, Vice Mayor Bob Wieckowski Bill Harrison Suzanne Lee Chan

City Staff

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Melissa Stevenson Dile, Deputy City Manager

Dawn G. Abrahamson, City Clerk
Harriet Commons, Finance Director
Marilyn Crane, Information Technology Svcs. Dir.
Daren Fields, Economic Dev. Director
Mary Kaye Fisher, Interim Human Resources Dir.
Annabell Holland, Parks & Recreation Dir.
Norm Hughes, City Engineer
Jill Keimach, Community Dev. Director
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

- 1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
- 2. Consent Calendar
- 3. Ceremonial Items
- 4. Public Communications
- 5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
- 6. Report from City Attorney
- 7. Other Business
- 8. Council Communications
- 9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

Agenda and Report • Fremont City Council Meeting • March 3, 2009



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak. Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

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Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk

City of Fremont

3300 Capitol Avenue, Bldg. A

Fremont, California 94538

Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

AGENDA FREMONT CITY COUNCIL REGULAR MEETING MARCH 3, 2009 COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A 7:00 P.M.

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 2.1 Motion to Waive Further Reading of Proposed Ordinances (This permits reading the title only in lieu of reciting the entire text.)
- 2.2 Approval of Minutes None.
- 2.3 APPROVAL OF PLANS AND SPECIFICATIONS, FUND APPROPRIATIONS, ADOPT NEGATIVE DECLARATION AND AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE POLICE INDOOR GUN RANGE Approval of Plans and Specifications, Fund Appropriations, Adopt Negative Declaration and Award of Contract for the New Construction of Police Department Indoor Gun Range (City Project No. 8557), APN # 525-1671-001-002

Contact Person:

Name: Michael Ma Robert Kalkbrenner

Title: Project Manager Civic Facilities Development Manager

Dept.: Community Development Community Development

Phone: 510-494-4750 510-494-4428

E-Mail: mma@fremont.gov rkalkbrenner @fremont.gov

RECOMMENDATIONS:

- 1. Approve Plans and Specifications for the new Police Department Indoor Gun Range, City Project No. 8557 (PWC).
- 2. Appropriate \$4,028,260 in Fire Safety Bond funds from Fund 213 to PWC 8557.
- 3. Adopt the Negative Declaration as attached to this report and find this action reflects the independent judgment of the City of Fremont.
- 4. Award a contract for the construction for the new Police Department Indoor Gun Range, City Project No. 8557 (PWC), to Applegate Johnston, Inc. in the amount of \$2,892,300; and authorize the City Manager, or designee, to execute the contract.

2.4 STREET LIGHT LICENSE AGREEMENT- PG&E SMART METER PROJECT Authorize the City Manager to Execute a Twenty Year Non-Exclusive, Revocable Street License Agreement with Pacific Gas and Electric Company for the Installation of Telecommunication Equipment on Three Existing City Light Poles and Authorize the City Manager or Designee to Approve Installation of Equipment at Future Additional Locations

Contact Person:

Name:Randy SabadoNorm HughesTitle:Real Property ManagerCity Engineer

Dept.: Community Development Community Development

Phone: 510-494-4715 510-494-4748

E-Mail: rsabado@fremont.gov nhughes@fremont.gov

RECOMMENDATIONS:

- 1. Authorize the City Manager or designee to execute a twenty year non-exclusive, revocable Street Light License Agreement with Pacific Gas and Electric Company for the installation of telecommunications equipment on three existing light poles located at 45428 Antelope Drive, Mission Boulevard and Santa Teresa Street, and Deep Creek Road and Maybird Circle.
- 2. Authorize the City Manager or designee to approve installation of telecommunications equipment on additional light poles through the encroachment permit process and to approve revisions to the list of street pole locations set forth in Exhibit A to the agreement.

3. **CEREMONIAL ITEMS** – None.

4. PUBLIC COMMUNICATIONS

4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – None.

PUBLIC FINANCING AUTHORITY - None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Report Out from Closed Session of Any Final Action

7. OTHER BUSINESS

7.1 LOCAL BUSINESS STIMULUS PACKAGE

Approve the Local Business Stimulus Package in Order to Assist New and Existing Businesses During These Difficult Economic Times

Contact Person:

Name: Lori Taylor Daren Fields
Title: Manager Director

Dept.: Economic Development Economic Development

Phone: 510-284-4020 510-284-4020

E-Mail: ltaylor@fremont.gov dfields@fremont.gov

RECOMMENDATION: Approve the Local Business Stimulus Package in order to assist new and existing businesses during these difficult economic times, including:

- 1. Direct staff to draft a Resolution to collect Development Impact Fees citywide at 90% of their full amount until December 31, 2010.
- 2. Direct staff to return to the City Council with a package of specific CBD incentive measures including, but not limited to, collecting Development Impact Fees at 75% of their full amount within the CBD area until December 31, 2010.
- 3. Direct staff to explore changing its current practice of collecting Development Impact Fees at time of building permit issuance to collecting fees at final inspection or issuance of a Certificate of Occupancy.
- 4. Direct staff to draft an Ordinance temporarily exempting clean technology firms from application of the Business License Tax until December 31, 2010.
- 5. Direct staff to draft an Ordinance to temporarily increase the local business preference for purchases from two and one-half percent (2.5%) to five percent (5%) for purchases between \$25,000 and \$200,000 until December 31, 2010.
- 6. Direct staff to explore the City of Fremont's participation in the Statewide Community Infrastructure Program (SCIP).
- 7. Direct staff to explore the possibility of creating a Foreign Trade Zone in Fremont.

8. Review and comment on the following ongoing, expanded and/or updated Economic Development, Redevelopment Agency, and Planning Division activities: the "Shop Fremont" campaign, business workshops offered through the East Bay Small Business Development Center, the Commercial Rehabilitation Program offered through the Redevelopment Agency, partnering with regional employment and educational institutions to promote employment and job training programs, promoting Employment Training Panel and Industrial Development Bonds, and updating the Sign Ordinance.

7.2 DRAFT GENERAL PLAN HOUSING ELEMENT

Authorization to Submit Draft General Plan Housing Element to the State Housing and Community Development Department for Review

Contact Person:

Name: Dan Schoenholz Jeff Schwob
Title: Policy and Special Projects Manager Planning Director

Dept.: Community Development Community Development

Phone: 510-494-4438 510-494-4527

E-Mail: dschoenholz@fremont.gov jschwob@fremont.gov

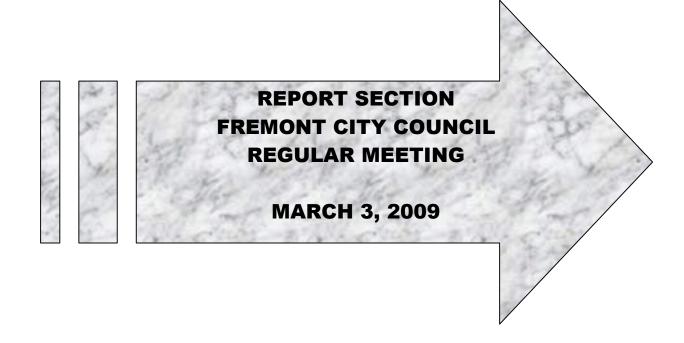
RECOMMENDATIONS:

- 1. Receive presentation.
- 2. Receive public comment.
- 3. Provide comments/direction to staff regarding any changes to the draft Housing Element.
- 4. By motion, authorize staff to submit the draft Housing Element to the State Housing and Community Development Department for review and comment.

8. COUNCIL COMMUNICATIONS

- 8.1 Council Referrals None.
- 8.2 Oral Reports on Meetings and Events

9. ADJOURNMENT



*2.3 APPROVAL OF PLANS AND SPECIFICATIONS, FUND APPROPRIATIONS, ADOPT NEGATIVE DECLARATION AND AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE POLICE INDOOR GUN RANGE

Approval of Plans and Specifications, Fund Appropriations, Adopt Negative Declaration and Award of Contract for the New Construction of Police Department Indoor Gun Range (City Project No. 8557), APN # 525-1671-001-002

Contact Person:

Name: Michael Ma Robert Kalkbrenner

Title: Project Manager Civic Facilities Development Manager

Dept.: Community Development Community Development

Phone: 510-494-4750 510-494-4428

E-Mail: MMa@fremont.gov rkalkbrenner @fremont.gov

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Executive Summary: This report recommends the City Council approve the plans and specifications, appropriate \$4,028,260 in Fire Safety Bond funds from Fund 213, adopt a Negative Declaration, and award a construction contract, in the amount of \$2,892,300 to Applegate Johnston Inc., the lowest responsive and responsible bidder for the construction of the new Police Department Indoor Gun Range (City Project No. 8557, located at 1996 Stevenson Blvd.)

BACKGROUND: The original plan for this project as outlined in Measure R, the Fire Safety Bond, includes a combined public safety training center for Police and Fire Departments, utilizing a two-acre parcel located at 7000 block on Stevenson Boulevard. In 2006, the Interact Group was contracted, through WLC Architects, to develop a program for the training center. Based on the program, it became apparent that it would be difficult to accommodate the entire public safety training center on a single two-acre parcel of land. The Police and Fire Departments staff then worked to locate affordable suitable sites, adequate in size to accommodate the Police Department gun range, Fire Department Tactical Training Center and training classrooms. As a result, on February 21, 2006, Council authorized the projects to be built separately. The Fremont Police Department gun range will be built on the existing Police Department property; the Fire Department stand alone Tactical Training Center will be built at the Stevenson Boulevard two-acre site (currently in the design/ bidding phase); and the fire administration offices and training classrooms will be located in the existing vacant space at Fremont City Hall, Building A (currently under construction and is scheduled to complete construction in March, 2009).

Project Description: This project involves the construction of the new Police Department Indoor Gun Range located on the existing vacant area between the Fremont Detention Center and Police Department Building. This building is an 8,376 s.f., one-story concrete block construction with ten 25-yard firing lanes and a 60 person classroom with other support and storage spaces. This project also includes landscaping, on site and street improvements.

Contract Duration: The Contract Documents stipulate that the work is to be performed and substantially completed in 300 calendar days.

Discussion: The construction bid documents were advertised on December 24, 2008, and December 31, 2008, with an engineer's estimate of \$3,460,000. 30 bids were received and opened on February 5, 2009. The bids ranged from \$2,892,300 to \$4,535,000. The bidders with their respective bid amounts are shown in Table A.

Table A

Contractor	Base Bid Total	Rank
Applegate Johnston, Inc.	\$2,892,300	1
Moorefield Construction	\$3,089,935	2
D.L. Falk Construction	\$3,151,000	3
Zakskorn Construction	\$3,326,800	4
Calstate Construction	\$3,350,500	5
Sequoia Pacific Builders	\$3,374,757	6
GCCI, Inc.	\$3,444,760	7
Page Construction	\$3,473,133	8
Roek Construction	\$3,484,560	9
Tilton Pacific Construction	\$3,519,617	10
Hilbers, Inc.	\$3,524,636	11
McCrary Construction	\$3,537,250	12
Gonsalves & Stronck	\$3,547,777	13
EVRA Construction, Inc.	\$3,555,000	14
Diede Construction	\$3,589,987	15
Beals Martin	\$3,644,296	16
Meadows Construction	\$3,695,224	17
CLW Builders, Inc.	\$3,718,000	18
Ralph Larsen & Sons, Inc.	\$3,772,000	19
dba Barry Swenson Builders	\$3,775,567	20
Kuehne Construction	\$3,783,638	21
Sausal Corporation	\$3,808,000	22
Zolman Construction & Develop.	\$3,835,000	23
James R. Griffin, Inc.	\$3,849,350	24
Nexgen Builders	\$3,875,721	25
John Plane Construction	\$3,906,104	26
Zovich Construction	\$3,958,000	27
Svala Construction, Inc.	\$4,021,500	28
Rubecon General Contracting	\$4,210,384	29
Valhalla Builders	\$4,535,000	30

The low bidder was selected based on the lowest base bid. The lowest responsible bidder, Applegate Johnston, Inc., submitted a responsive base bid in the amount of \$2,892,300 and all required documentation. The total contract amount will be \$2,892,300.

Budget: The project budget totals \$5,300,000. This budget includes estimated land costs, soft costs, construction costs, site clean up costs, and contingencies.

Appropriations: Fire Bond Funds Appropriated to date	\$1,271,740
Recommended Appropriations (from Fund 213 to project PWC8557):	\$4,028,260
Total Project Budget	\$5,300,000

Environmental Review: An Initial Study and Draft Negative Declaration have been prepared for this project and is attached to this report. The negative declaration was circulated for public review required by CEQA. The environmental analysis concluded that this project will not have a significant effect on the environment. The project is an infill development in an urban area that does not displace, destroy, or remove significant natural vegetation, wildlife, or natural resources. The project includes site plan, architectural and use controls in conformance with the City codes and policies, as well as with other responsible agency regulations. The proposed project complies with the applicable building codes, City ordinances regulating construction-related noise, and payment of applicable development impact fees required of all new construction on urban infill lots that would be required prior to issuance of building permit.

Design Consultant: Leach Mounce Architects

Spending Limit Impact (Article XIII B): None

ENCLOSURES:

- Police Department Indoor Gun Range plan and elevations from the construction plans and specifications.
- Draft Negative Declaration

RECOMMENDATIONS:

- 1. Approve Plans and Specifications for the new Police Department Indoor Gun Range, City Project No. 8557 (PWC).
- 2. Appropriate \$4,028,260 in Fire Safety Bond funds from Fund 213 to PWC 8557.
- 3. Adopt the Negative Declaration as attached to this report and find this action reflects the independent judgment of the City of Fremont.
- 4. Award a contract for the construction for the new Police Department Indoor Gun Range, City Project No. 8557 (PWC), to Applegate Johnston, Inc. in the amount of \$2,892,300; and authorize the City Manager, or designee, to execute the contract.

*2.4 STREET LIGHT LICENSE AGREEMENT- PG&E SMART METER PROJECT Authorize the City Manager to Execute a Twenty Year Non-Exclusive, Revocable Street License Agreement with Pacific Gas and Electric Company for the Installation of Telecommunication Equipment on Three Existing City Light Poles and Authorize the City Manager or Designee to Approve Installation of Equipment at Future Additional Locations

Contact Person:

Name: Randy Sabado Norm Hughes
Title: Real Property Manager City Engineer

Dept.: Community Development Community Development

Phone: 510-494-4715 510-494-4748

E-Mail: rsabado@fremont.gov nhughes@fremont.gov

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Executive Summary: This report recommends that the City Council authorize the City Manager to execute a twenty year non-exclusive, revocable Street Light License Agreement with Pacific Gas and Electric Company for the installation of telecommunications equipment on three existing light poles located at 45428 Antelope Drive, Mission Boulevard and Santa Teresa Terrace, Deep Creek Road and Maybird Circle, and authorize the City Manager or designee to approve installation of equipment on additional light poles through the encroachment permit process and to approve revisions in the list of street pole locations contained in Exhibit A to the Agreement.

BACKGROUND: The Pacific Gas and Electric company Smart Meter program is an automated gas and electric metering system that uses data collection units mounted on utility poles to measure and bill customers for their energy uses. The data collection units consist of a receiver/transmitter, a computer, a modem and a battery contained within a 24" tall 13" wide and 9" deep box. The power is provided by the battery which is recharged by a connection to A.C. line power or to an optional solar panel. The data collection units include several components – a data collection box, two antennas, an antenna boom and connecting cables.

The Smart Meter program will allow more precise outage detection and enable faster power restoration. The system will also improve billing and metering service and make meter reading more convenient.

The data collection units will be mounted on three City light poles located at 45428 Antelope Drive, Mission Boulevard and Santa Teresa Street, and Deep Creek Road and Maybird Circle.

PG&E has requested that City execute their standard twenty year non-exclusive, revocable license agreement to allow placement of the Smart Meter communication equipment on three existing streetlight poles. The agreement provides that PG&E must obtain an encroachment permit, and pay a one time license fee of \$780 per pole. The agreement requires PG&E to receive advance City approval prior to installing any Smart Meter equipment on any additional street light poles through the encroachment permit process.

The agreement also provides that PG&E will be solely responsible for the maintenance of their equipment and will repair or replace and streetlights, streetlight equipment, including the poles that are damaged due to the installation of their equipment. In addition, PG&E will be responsible for the

removal of their equipment, at their sole cost and expense, at the termination or expiration of the agreement and if they fail to remove their equipment within a reasonable time, the City may at PG&E's expense remove and store their equipment. The agreement also requires PG&E to maintain liability and worker's compensation insurance and to indemnify and hold the City harmless against any and all liability claims and actions.

PG&E has signed similar agreements with other Bay Area cities and counties including Alameda County, Hayward, Daly City, Millbrae, South San Francisco, San Bruno, Los Banos, Pacifica, Pleasanton, Merced County, Union City, Mendota, Belmont and Dublin.

Environmental Review: This project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301, "Existing Facilities," as a minor alteration to existing facilities.

ENCLOSURE: Street map showing the approximate location of the three street light poles.

RECOMMENDATIONS:

- 1. Authorize the City Manager or designee to execute a twenty year non-exclusive, revocable Street Light License Agreement with Pacific Gas and Electric Company for the installation of telecommunications equipment on three existing light poles located at 45428 Antelope Drive, Mission Boulevard and Santa Teresa Street, and Deep Creek Road and Maybird Circle.
- 2. Authorize the City Manager or designee to approve installation of telecommunications equipment on additional light poles through the encroachment permit process and to approve revisions to the list of street pole locations set forth in Exhibit A to the agreement.

6.1	Report Out from Closed Session of Any Final Action

7.1 LOCAL BUSINESS STIMULUS PACKAGE

Approve the Local Business Stimulus Package in Order to Assist New and Existing Businesses During These Difficult Economic Times

Contact Person:

Name: Lori Taylor Daren Fields Title: Manager Director

Dept.: Economic Development Economic Development

Phone: 510-284-4020 510-284-4020

E-Mail: ltaylor@fremont.gov dfields@fremont.gov

Executive Summary: Staff is recommending a number of measures as part of a Local Business Stimulus Package designed to help existing Fremont businesses and provide incentives to continue to attract new businesses to Fremont during these difficult economic times. Several proposals are temporary in nature and are being recommended to provide an economic stimulus through December 31, 2010, at which time the worst of the current economic conditions hopefully will be over. If the economy is still in a downward mode, at that time the City Council could then choose to continue these measures to a later date. Other measures outlined in this report are part of longer-term economic development strategies and are being included because they can start to assist businesses immediately.

The measures in the Local Business Stimulus Package include the following:

- Reduce Development Impact Fees citywide by 10% until December 31, 2010 by collecting 90% of the current fee during this time;
- Direct staff to create a package of specific Central Business District (CBD) incentive measures including, but not limited to, reducing Development Impact Fees by 25% within the CBD area until December 31, 2010 by collecting 75% of the current fee during this time;
- Direct staff to explore changing the current practice of collecting Development Impact Fees at time of building permit issuance to collecting fees prior to final inspection or granting of Certificate of Occupancy.
- Exempt clean technology firms from the Business License Tax until December 31, 2010;
- Increase the local business purchasing preference from 2.5% to 5% until December 31, 2010;
- Authorize the City to participate in the Statewide Community Infrastructure Program in order to offer developers an alternative financing program to pay Development Impact Fees; and
- Direct staff to explore the possibility of creating a Foreign Trade Zone in Fremont.

This report also provides information on a number of other ongoing Economic Development, Redevelopment Agency, and Planning Division activities that will be retooled and/or introduced in the upcoming year as part of the City's concerted effort to provide additional assistance for local businesses. These activities include the City's "Shop Fremont" campaign; business workshops offered through the Alameda County Small Business Development Center; the Redevelopment Agency's Commercial Rehabilitation Program; partnering with local educational institutions and employment agencies to promote job training and employment resources; providing additional promotion of Employment

Training Panel funds and Industrial Development Bonds for qualifying businesses; and updating the Sign Ordinance to help businesses to market and promote themselves.

BACKGROUND: Fremont is not immune to the world-wide economic downturn. Many local businesses are facing severe financial challenges. As a City, we cannot rely solely on the federal government stimulus package to address our needs and help our local businesses. We also cannot rely on the State government for assistance given their financial standing. It is incumbent upon the City to act independently to show our local businesses we value them and want to assist them during these difficult economic times. In addition, for our long-term economic health, it is imperative that Fremont continue to be a leader in Silicon Valley by attracting new businesses, jobs, and investment into our community. While Fremont has been known as a supportive environment for businesses, we must continue to update and expand our efforts to retain and grow our existing businesses and attract new firms. It is hoped the measures outlined in this report will promote entrepreneurship and help Fremont businesses maintain their economic viability, keep their employees employed, and continue their operations within Fremont.

Discussion: Following is more specific information about each component of the proposed Local Business Stimulus Package.

Development Impact Fees - In order to assist new and expanding businesses, staff recommends the City Council consider a measure (draft resolution) that would temporarily reduce all Development Impact Fees by 10% citywide until December 31, 2010, by collecting 90% of the fee during this time. The recent downturn in the economic and financial markets has made it difficult, if not impossible, for developers to obtain financing to cover the initial costs of development. The inability of developers, property owners, and/or tenants to move forward on their projects has begun to have a severe impact on the City's and the Community Development Cost Center's revenue as building permit and entitlement fees have declined along with sales tax. Temporarily reducing the collection of Development Impact Fees by 10% may provide just enough financial incentive for developers, property owners, and/or tenants to afford to move forward with their projects and continue investing in Fremont. Assuming all projects currently under review or on hold for building permit fees respond to this stimulus package and therefore proceed during this time period, the citywide 10% reduction in collected impact fees would result in a potential loss of \$1.0-\$1.5 million for city capital projects. This reduction would most likely result in a delay in constructing projects or require the City to fill the funding gap either through construction cost savings or outside funding opportunities.

In an effort to focus more directly on and incentivize growth within the Central Business District (CBD), staff is also recommending returning to the City Council shortly with a package of specific CBD incentive measures including temporarily reducing the collection of Development Impact Fees by 25% within the CBD area. Other possible measures may include increasing allowable office, retail and housing development densities, modifying parking standards, and pre-approved design guidelines and/or form-based zoning.

Development Impact Fees /Time of Collection - Developers currently pay Development Impact Fees, which can be a significant cost, at the time of building permit issuance. This has often been a challenge for a developer to pay these fees as their cash flow often does not start accruing for some time. In this economic climate, the timing of payment of Development Impact Fees can be even more difficult as evidenced by the number of building permits that are ready but have yet to be issued by the Community

Development Department. The time spent by developers recovering the costs of fees can be costly as the developer has to first cover, and then pass along, the "carrying costs" to potential buyers.

Staff recommends exploring changing the current practice of collecting Development Impact Fees at time of building permit issuance to collecting the fees prior to final inspection or issuance of a Certificate of Occupancy. As part of this evaluation, staff will also consider the City's need to efficiently and effectively collect the appropriate fees at the proper time.

Business License Tax /Clean Technology Firms - Clean technology firms include a broad range of industries that are developing products, services and processes using renewable materials and energy sources (such as wind power, solar power, and biofuels) that are more energy efficient. These industries represent a rapidly growing segment of the economy and tend to generate significant employment and revenues for their host community. For these reasons, many cities have developed programs to attract these firms to locate within their community. While staff actively attempts to recruit these firms, the city does not offer any financial incentives to such firms. Typically, these firms are start-ups with significant capital expenditures and a relatively long horizon before profitability, which means that up-front costs are very important in selecting a site. The measure being recommended is to temporarily exempt these firms from application of the business license tax as an incentive to locate in Fremont. While the amount of the business tax revenues generated by these firms is relatively minor (last year, businesses classified as clean tech paid less than \$20,000), they can generate significant revenue due to the sales tax for their equipment purchases, as well as property and use taxes. In addition to these direct impacts, the development of such an industry cluster provides more employment opportunities and has benefits for related businesses (such as suppliers) and helps promote investment in Fremont's business parks, which lowers vacancy rates and maintains property values. Staff recommends that Council direct staff to return with an ordinance to temporarily exempt clean technology businesses from application of the business license tax.

Local Business Purchasing Preference - The City Council will recall that just over one year ago the local business preference for City purchases of personal property (goods, supplies and equipment) between \$25,000 and \$200,000 was increased from one percent (1%) to two and one-half percent (2.5%). That is, bids from businesses located in Fremont are calculated at two and one-half percent (2.5%) below the actual bid for the purpose of comparing bids between local and non-local vendors on all purchases for taxable goods, supplies and equipment not involving public works projects or otherwise precluded by state and federal law. The 2.5% local business preference is not a material amount yet is viewed as symbolic of the City's support for local businesses, desire to attract new business, and its commitment to circulate tax dollars within the local economy.

In order to provide an added stimulus for our local economy, staff recommends the 2.5% local business preference be increased to five percent (5%) on a temporary basis until December 31, 2010. This new amount would hopefully be at a level high enough to assist a local business in obtaining a City bid contract. Purchases less than \$25,000, which do not go through this formal bidding process, would continue to go through the existing informal competitive bid process. For these purchases, staff recommends internal purchasing procedures be amended to require (rather than encourage) staff to solicit a bid from a minimum of one local vendor, when feasible. Taken together, the City will be assisting local companies and supporting business growth. By contracting locally, the City is also promoting environmentally sustainable practices because purchasing locally avoids environmental

impacts such as the transportation and fuel costs associated with shipping goods from out of town. To date, no Fremont business has been able to take advantage of the 2.5% preference. It is anticipated that perhaps 2-3 businesses annually will be able to utilize the higher 5% local preference level. Therefore, the financial impact to the General Fund is likely to be modest.

Statewide Community Infrastructure Program - The Statewide Community Infrastructure Program (SCIP) is a financing program that enables developers to pay most impact fees with tax-exempt bond issuance proceeds through the California Communities Development Authority, a joint powers authority of the League of California Cities and the California State Association of Counties. This program is designed to assist developers that may lack the capital necessary to cover all impact fee expenses until the business itself is operating.

Most local agencies, including Fremont, require developers to pay impact fees prior to obtaining a building permit. SCIP is designed to either prepay these fees on the developer's behalf or reimburse the developer after the fee is paid. The program can be used to enable developers to pay for, or be reimbursed for, all eligible impact fees or for a single impact fee. This prepayment/reimbursement then attaches as a lien on the subject property (similar to Local Improvement District special assessments). SCIP has also been designed to minimize local agency staff involvement as SCIP utilizes its own team to administer and finance the program. In addition, because the impact fee costs are paid through the SCIP program, it can essentially serve as an alternate to the City creating and administering an impact fee deferral program. Utilizing the SCIP program also eliminates the risk of nonpayment by the developer because the costs become liens on the subject property and are covered by the SCIP program. To participate, a local agency need only be a member of California Communities (Fremont is a member) and pass a resolution approving the program. Therefore, staff recommends further exploring the City of Fremont's participation in the Statewide Community Infrastructure Program (SCIP).

Foreign Trade Zone - Foreign Trade Zones are sites in or near a United States Customs port of entry where foreign and domestic goods can be brought in without formal customs entry or incurring customs duties or excise taxes and tariffs. Foreign Trade Zones are aimed at assisting the manufacturing industry. For example, there are certain tariffs that actually penalize companies for making their product in the United States. This occurs when a component item or raw material carries a higher duty rate than the finished product. As a result, the importer of the finished product pays a lower duty rate than a manufacturer of the same product in the U.S. This gives the importer an unintended advantage over the domestic manufacturer and a Foreign Trade Zone helps to level the playing field. The New United Motors Manufacturing, Inc. (NUMMI) plant is in a Foreign Trade Zone, having been "annexed" to a previously existing San Jose Foreign Trade Zone some years ago.

Staff is beginning to receive inquiries from potential businesses about whether a trade zone exists in our community. Therefore, staff believes it is worthwhile to begin looking into the application process for designating a Foreign Trade Zone in Fremont and is asking for City Council direction in this regard.

Staff Initiatives and Activities: In addition, there are a number of ongoing economic development programs and activities that provide additional services and support for local businesses. Although these do not require Council action, they are mentioned here as they are an integral part of the variety of programs and services the City currently offers to help local businesses and are being expanded,

improved and/or updated in order to provide valuable services and stimulate entrepreneurship for local businesses during these difficult economic times. These include the following:

"Shop Fremont" Campaign/Additional Marketing Efforts - For the past several years, Economic Development staff has worked to raise the community's awareness of the connection between sales tax dollars and funding City services through its annual "Shop Fremont!" campaign. What began as a series of newspaper and newsletter advertisements has now become an award-winning marketing campaign using innovative tools for community outreach, including campy promotional videos on cable television and the City's internet website, an on-line discount coupon program for Fremont businesses, and distributing thousands of "Shop Fremont" shopping bags during the holiday shopping season.

These programs will be expanded to year-round efforts and will include additional marketing and promotional campaigns. These new campaigns will include promoting "Shop Fremont" in new and innovative ways along with old standards such as street banners and updated marketing materials. Staff is also in the process of updating the City's business property database website (www.focusonfremont.com) into a new website called www.ThinkFremont.com that will be launched shortly. All new marketing materials will be geared toward the new "Think Fremont" tag line and branding.

Business Workshops - In partnership with the Small Business Administration (SBA), the Alameda County Small Business Development Center (SBDC), and the Fremont Chamber of Commerce, Economic Development staff has created an award-winning program of free monthly workshops. These classes, which cover a range of topics to promote entrepreneurship and small business growth, have been well attended and received. It is staff's plan to continue to offer these workshops and introduce new timely topics to reflect relevant new issues (such as changes in the capital markets) as well as look towards ways to expand the program, including offering new workshop locations and new delivery methods such as creating pod casts or online educational content. In addition to providing education to small businesses, this partnership also provides free one-on-one consulting services to Fremont businesses.

Commercial Rehabilitation Program - The Fremont Redevelopment Agency has updated its Commercial Rehabilitation Program to benefit the Centerville, Irvington, and Niles Redevelopment Project Areas. Changes have been made to the program to attract more businesses, such as increased grant limits based on project construction costs, and to simplify the application process. This newly revamped program will be promoted in each of the redevelopment areas, as well as to prospective tenants. One aspect of the revised program may be the creation of a smaller, incentive grant-based program limited to signage improvements.

Workforce Development - One of Fremont's major competitive advantages has been our highly educated and skilled workforce. Workers with skills in the biotechnology and semiconductor fields have made Fremont known as a premier place in which to locate a business. Continued and expanded partnerships with local educational programs are critical to ensure that the region is prepared with a qualified workforce. Staff will work to expand partnerships with Ohlone College, the Regional Occupational Program, and local universities, such as Cal State East Bay, to ensure that workforce training programs are coordinated with the labor market.

In spite of our qualified workforce, Fremont's employment base has been adversely affected by the downturn in the economy. The unemployment rate has increased and layoffs have recently occurred in the manufacturing, technology and retail sectors. In order to ensure that residents have access to local employment development resources, staff will work with the California Employment Development Department and the Alameda County Workforce Investment Board to bring resources, such as a joint job fair, to Southern Alameda County residents.

Employment Training Panel Funds /Industrial Development Bonds - Employment Training Panel (ETP) funds and Industrial Development Bonds (IDB) are statewide programs that provide assistance to manufacturing firms. Fremont firms have previously received notable sums of ETP training funds, which are used to keep our local workforce competitive. IDB funds are used to help purchase facilities and equipment for manufacturing firms and allow lower cost financing for these capital expenses. Staff will continue to work to ensure that Fremont firms are aware of these resources, as well as assist interested firms in working through the respective application processes.

Sign Ordinance Revisions - Over the past several years, the Fremont Chamber of Commerce has developed a list of proposed changes to the City's existing Sign Ordinance. Many of these changes stem from concerns expressed by the business community over restrictions on the ability of businesses to market and promote themselves via signs, A-frames, banners, and balloons. Staff from the Planning Division and the City Attorney's Office have also been interested in making changes to conform the ordinance to current federal and State regulations.

Last year, the City retained the services of an attorney specializing in sign ordinances. To date, the attorney has worked with staff to develop a draft ordinance. It is anticipated that after internal review this spring, staff will again meet with the Chamber of Commerce and other business organizations, realtor associations and other interested parties to review the draft ordinance. Planning staff currently anticipates Planning Commission and City Council review and approval in the fall of this year. Economic Development staff is hopeful the revised Sign Ordinance will help businesses market and promote themselves.

ENCLOSURE: None

RECOMMENDATION: Approve the Local Business Stimulus Package in order to assist new and existing businesses during these difficult economic times, including:

- 1. Direct staff to draft a Resolution to collect Development Impact Fees citywide at 90% of their full amount until December 31, 2010.
- 2. Direct staff to return to the City Council with a package of specific CBD incentive measures including, but not limited to, collecting Development Impact Fees at 75% of their full amount within the CBD area until December 31, 2010.
- 3. Direct staff to explore changing its current practice of collecting Development Impact Fees at time of building permit issuance to collecting fees at final inspection or issuance of a Certificate of Occupancy.
- 4. Direct staff to draft an Ordinance temporarily exempting clean technology firms from application of the Business License Tax until December 31, 2010.

- 5. Direct staff to draft an Ordinance to temporarily increase the local business preference for purchases from two and one-half percent (2.5%) to five percent (5%) for purchases between \$25,000 and \$200,000 until December 31, 2010.
- 6. Direct staff to explore the City of Fremont's participation in the Statewide Community Infrastructure Program (SCIP).
- 7. Direct staff to explore the possibility of creating a Foreign Trade Zone in Fremont.
- 8. Review and comment on the following ongoing, expanded and/or updated Economic Development, Redevelopment Agency, and Planning Division activities: the "Shop Fremont" campaign, business workshops offered through the East Bay Small Business Development Center, the Commercial Rehabilitation Program offered through the Redevelopment Agency, partnering with regional employment and educational institutions to promote employment and job training programs, promoting Employment Training Panel and Industrial Development Bonds, and updating the Sign Ordinance.

7.2 DRAFT GENERAL PLAN HOUSING ELEMENT

Authorization to Submit Draft General Plan Housing Element to the State Housing and Community Development Department for Review

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Executive Summary: Pursuant to State law, the City of Fremont must adopt an updated Housing Element of the City's General Plan by June 30, 2009. Staff has prepared a draft updated Housing Element for submittal to the State Housing and Community Development Department (HCD) for their required review. The draft Element includes a discussion of the City's community engagement process; a needs assessment; a parcel-specific inventory of land available for housing development; an analysis of constraints to housing development; and a description of programs and policies aimed at meeting the City's housing goals.

Staff presented the draft Housing Element to the Planning Commission on February 12, 2009. The Commission recommended that Council authorize staff to submit the draft Housing Element, with some modifications, to HCD for their review. Staff anticipates that if the draft Housing Element is submitted to the State by early March 2009, HCD will provide comments on the draft by early May 2009. Staff would then return to the Planning Commission and City Council with a final version for consideration and adoption in June 2009.

BACKGROUND: The City is required by state statute to update its Housing Element, the section of the General Plan that guides the City's housing efforts. The Element not only provides general goals, objectives and policies but also proposes implementation programs to meet the stated goals and objectives. While State law prescribes much of the content for the Housing Element, a city may also consider economic, environmental, fiscal and community goals in its efforts to address regional housing needs.

Public Outreach:

Chapter 1 of the draft Housing Element includes a description of the City's outreach to the community related to the Housing Element. The City has conducted extensive community outreach since 2007 related to the comprehensive update of the General Plan that is underway. Based on a strategy developed by a team of community volunteers, the City utilized a variety of venues—including neighborhood workshops, staff presentations at meetings of community organizations, media coverage, the City's webpage, and public work sessions with the Planning Commission and City Council—to discuss a broad range of issues, including housing.

The City has also conducted outreach specific to the Housing Element. Staff organized two study sessions with the Planning Commission and one with the City Council in 2008 on the topic of housing and how to address it in the General Plan. Staff held a session in November 2008 on the Housing

Element with the Human Relations Commission in order to provide information and receive comments. Staff also presented information on the Housing Element to the Board of Directors of the Tri-City Elders Coalition, an organization that advocates for the needs of seniors in Fremont and the Tri-Cities.

On October 30, 2008, the City convened a community Housing Workshop. Notices of the meeting were mailed to the more than 800 persons on the General Plan mailing list, including landlord associations, housing advocacy groups, and other stakeholders. The meeting was also advertised through the media, the City's website, the Fremont Main Library, all City Community and Senior Centers and through the Fremont Family Resource Center. The workshop attracted over 60 residents from all parts of the City, with residents aged from 17 to 72 years old. The three hour workshop allowed residents to learn about and discuss topics concerning affordable housing programs, the Housing Element and General Plan Update process, transit-oriented development, and design versus density. An exit survey taken after the workshop was completed showed that generally residents found the workshop very useful with a satisfaction rating of 4.43 out of 5 possible points.

Input from these various sources as well as from the staff's review of the current housing element was used to develop a "discussion draft" of the Housing Element. Indeed, virtually all of the new goals, policies and programs in the draft Housing Element were either suggested explicitly by the Commission, Council, or public or are an attempt by staff to meet an interest expressed as part of this input.

In January 2009, the City held two meetings with stakeholders including affordable housing advocates, disability rights advocates, and affordable and market rate housing developers to review the discussion draft, provide comments, and present the City's responses to comments. City staff also presented highlights of the draft to the Chamber of Commerce's Government Affairs Committee in January and received comments. In addition, the discussion draft was posted on-line for review and comment by the general public. Based on comments received, staff made numerous changes to the discussion draft. At its meeting of February 12, 2009, the Planning Commission considered the draft Element and recommended that Council authorize staff to submit the draft Element to the State, with a few comments that are described later in this report.

Requirements for Housing Elements

Housing Elements must identify and analyze existing and projected housing needs, effectiveness of the past housing element, constraints to the production of housing, and must also contain goals, policies, quantified objectives, and scheduled programs for the preservation, improvement and development of housing.

Existing law requires the State Department of Housing and Community Development evaluate each housing element for consistency with State law including, among other things, a requirement for a program setting forth a five-year schedule of actions the local government is undertaking or intends to undertake to achieve the goals of the housing element. Those actions include the identification of sites to be made available to encourage the development of a variety of types of housing for all income levels.

Certification of the Housing Element by the State Department of Housing and Community Development (HCD) is important to the City because a State-certified housing element creates eligibility for funding, grants and other moneys for the City as well as for developer/non profit projects that otherwise might not be available.

Regional Housing Needs Determination

Fremont:

The housing element must also address the community's allocation of housing needs prepared by the Association of Bay Area Governments. The Association of Bay Area Governments (ABAG) has determined the 2007-2014 Regional Housing Needs Distribution Allocation for all Bay Area cities and counties, including Fremont. The total housing need for Fremont is 4,380 units. This allocation is based upon ABAG's projections of the City's share of regional job growth and regional household growth from 2007-2014. The total number of units is further subdivided by the target income level, as described in the following table.

Income Level	#of units needed	Definition of Income Level
Very*	1,348	Households with income up to 50% of the
Low	1,340	county's area median income
1 997		Households with income between 50 and
Low	887	80% of the county's area median income
Madamata 976		Households with income between 80 and
Moderate	876	120% of the county's area median income
Above	1.260	Households with income above 120% of
Moderate	1,269	the county's area median income
Total need for	4,380	

Regional Housing Need Determination 2007-2014

The City is required in its Housing Element to demonstrate that land is available or will be available to meet the projected housing needs. In determining whether sufficient land is available to meet affordable housing needs, the State considers vacant or underutilized land zoned to accommodate 30 or more units to the acre as being zoned appropriately for affordable housing.

As described in Chapter 4 of the draft Housing Element, the City currently has sufficient land available and appropriately zoned to meet the projected housing need through 2014. In large part, this reflects parcels that were rezoned during the previous housing element cycle but where no development occurred. Because the City has sufficient land available to meet projected needs, no rezoning of property is proposed as part of the draft Housing Element. However, a policy is included to emphasize that the City will consider rezoning additional land for residential uses where opportunities arise, taking into account the need to focus housing growth near transit and also the effect on the local economy.

^{*} While Extremely Low-Income (ELI) households are not identified as a separate category in the Regional Housing Needs Allocation, State law requires the City estimate its ELI needs. ELI households are defined as those with an income of 30% or less of the county's area median income. Based on data from the 2000 Census, ELI households made up approximately 52% of Very Low-Income households in Fremont. Therefore the City estimates that Fremont's ELI need is 700 units (52% of the 1348 units needed for Very Low-Income households).

Senate Bill 2

Senate Bill 2, which went into effect on January 1, 2008, requires cities take a number of actions related to emergency shelters and transitional and supportive housing. Most notably, cities are required to designate a zone where emergency shelters are permitted by right, and to ensure that transitional and supportive housing facilities are defined and regulated as residential uses. The City Council approved the necessary revisions to the City's zoning code in January 2009 to bring the City into full compliance with SB2, therefore no additional actions related to SB2 are included in the draft Housing Element.

Highlights of the Changes to the Adopted Housing Element

Chapter 6 of the Housing Element includes goals, policies and actions relative to the maintenance, preservation, improvement, and development of housing. Many of the included programs are found in the City's current housing element and staff is recommending they be continued because they have proven effective. In addition, Chapter 6 includes a number of new goals, policies and actions. Highlights of these new measures are described in more detail below. Following the description of new goals, policies and actions is a discussion of a major policy change suggested by the community—adoption of a jobs-housing linkage fee—that is not recommended by staff.

Revisions to Inclusionary Housing Ordinance

The Housing Element includes an action to revise the City's Inclusionary Housing Ordinance. The process of drafting revisions to the Ordinance is underway and has included extensive public input.

The revised ordinance will make the option of in-lieu fee payments more realistic and attractive to developers. This will provide a funding stream for additional affordable housing and supportive services.

Emphasis on Supportive Services

The City provides or funds a variety of supportive services including child care, economic literacy, and counseling programs. Research shows that these and other supportive services such as job training are an efficient and effective means to keep people housed. While all of the support services provided by the City or by non-profits with City funding are not necessarily limited to low-income households, most of the consumers of these services are in fact extremely low, very low, or low income.

The draft Housing Element includes a new goal to ensure the availability of supportive services as a way to highlight the City's commitment to these services and their importance as a strategy to keep people in housing.

Future Housing Concentrated Near Transit

Consistent with feedback received from the community, the Planning Commission, and Council throughout the General Plan update process, the draft Housing Element includes policies to support concentrating future housing near transit.

Extremely Low-Income Housing

Extremely low-income (ELI) households earn 30% or less of the median income. Staff estimates that of the 1,348 very low-income units that were part of the City's Regional Housing Needs Allocation, approximately 700 will be needed by ELI households. While recent projects supported with Redevelopment Agency Affordable Housing funds have produced ELI units (for example, 21 ELI units

at Irvington Terrace and 29 ELI units at Maple Square), the City and Redevelopment Agency in the past have had no formal goals for ELI expenditures. The draft Housing Element includes an implementation measure to develop a target percentage of affordable housing funds to support ELI households.

Review of Impact Fees and Parking Requirements

Developers of both affordable and market rate housing identified impact fees and parking requirements as constraints to housing development. As an implementation action, the City will evaluate its impact fee structure and will analyze whether certain types of projects (those affordable to extremely-low-income families, or those located within walking distance of transit, for example) might have lesser impacts on City services and might therefore warrant lower impact fees. The City will also evaluate whether current parking requirements might be too high for projects where residents might be expected to have fewer cars, whether because of access to transit or because of income level or disability.

Green Building

The City will require new residential developments seeking discretionary approvals to meet Green Building Standards (currently 50 points on the Green Point Rated checklist). In addition, the Redevelopment Agency will develop an incentive program for affordable housing developers to include solar photovoltaic systems in multifamily projects.

Universal Design

By July 2010, the City will evaluate development of an ordinance requiring Universal Design (features that make a unit livable for people as they age and as their needs change, such as no-step entries, wide hallways that are wheelchair accessible, and a bedroom/bath on the first floor.) Until the evaluation is complete, the City will encourage developers to include these features.

Not Recommended by Staff—Jobs-Housing Linkage Fee

A jobs-housing linkage fee would impose a fee on new businesses to be used to provide affordable housing. Such fees are authorized by law, and have been adopted in some cities including San Francisco, Livermore, and Pleasanton, although not by any of the cities with whom Fremont often competes for business recruitment (Union City, Newark, Milpitas, or San Jose). A study conducted in Fremont in 2005 indicated that the City could adopt a non-residential development fee as high as \$24.31 per square foot.

Although such a fee would generate additional funds for affordable housing, staff believes the negative impacts to the City's economic development efforts would outweigh the benefits. Given the current state of the economy, staff believes additional fees would further complicate Fremont's economic development efforts. Even when economic conditions eventually improve, staff is concerned that an additional fee on commercial and industrial development would hurt Fremont's competitive position to recruit new businesses, due in part to the relatively high level of impact fees that businesses already pay when locating in Fremont.

Comments/Suggestions from Planning Commission

Along with its recommendation that Council authorize submittal of the draft housing element, the Planning Commission included two comments/suggestions for the Council to consider:

1) More Specificity

The Commission noted that a number of the policies and programs in the draft Housing Element do not commit to particular outcomes, but rather commit the City to future in-depth analyses. In particular, the Commission focused on policies and programs calling for future evaluations of fee reductions and changes in parking requirements. The Commission's comment was to provide more concrete and immediate actions in the draft Housing Element.

In a separate agenda item, staff is recommending that Council temporarily reduce development impact fees for all new development in Fremont through December 31, 2010 by 10%, and by 25% in the Central Business District as a means to assist development and businesses through this economic crisis. This fee reduction would benefit all developers, including those building affordable housing. Should Council choose to adopt this impact fee reduction, staff would revise Action 3.04-E of the draft Housing Element (pg. 118) to reflect this near and limited-term action. Staff still proposes to conduct more in-depth and a nexus fee analysis to determine the appropriateness of a permanent impact fee reduction for affordable housing projects. Further staff would also conduct an in-depth analysis of the City's parking/open space requirements as implementing actions of the Housing Element.

2) Jobs-Housing Linkage Fee

The Commission suggested that staff gather more information regarding jobs-housing linkage fees to provide a clearer picture of the potential costs and benefits. Staff is conducting research and will provide this information as part of its presentation of this item.

Public Notice and Comment: A total of 249 notices regarding the Council meeting were mailed to parties who have requested to be notified regarding City meetings and actions related to housing programs.

In addition, e-mail notification was provided to the General Plan mailing list, which includes over 800 e-mail addresses of individuals who have requested to be kept informed of public meetings related to the General Plan Update.

ENCLOSURE: Draft General Plan Housing Element

RECOMMENDATIONS:

- 1. Receive presentation.
- 2. Receive public comment.
- 3. Provide comments/direction to staff regarding any changes to the draft Housing Element.
- 4. By motion, authorize staff to submit the draft Housing Element to the State Housing and Community Development Department for review and comment.

- 8.1 Council Referrals None.
- 8.2 Oral Reports on Meetings and Events

ACRONYMS

ABAG Association of Bay Area Governments	FUSD Fremont Unified School District
ACCMA Alameda County Congestion	GIS Geographic Information System
Management Agency	GPA Geographic information System GPA General Plan Amendment
ACEAltamont Commuter Express	HARB Historical Architectural Review Board
ACFCD Alameda County Flood Control District	HBA Home Builders Association
ACTA Alameda County Prood Control District ACTA Alameda County Transportation	HRC Human Relations Commission
• •	
Authority Alamada County Transportation	ICMA International City/County Management Association
ACTIA Alameda County Transportation	
Improvement Authority	JPA Joint Powers Authority
ACWDAlameda County Water District	LLMD Lighting and Landscaping Maintenance District
BAAQMD Bay Area Air Quality Management	
District	LOCCLeague of California Cities
BART Bay Area Rapid Transit District	LOS Level of Service
BCDCBay Conservation & Development	MOU Memorandum of Understanding
Commission	MTC Metropolitan Transportation Commission
BMPsBest Management Practices	NEPA National Environmental Policy Act
BMRBelow Market Rate	NLC National League of Cities
CALPERSCalifornia Public Employees' Retirement	NPDES National Pollutant Discharge Elimination
System	System
CBDCentral Business District	NPO Neighborhood Preservation Ordinance
CDDCommunity Development Department	PC Planning Commission
CC & R's Covenants, Conditions & Restrictions	PD Planned District
CDBGCommunity Development Block Grant	PUCPublic Utilities Commission
CEQACalifornia Environmental Quality Act	PVAW Private Vehicle Accessway
CERTCommunity Emergency Response Team	PWCPublic Works Contract
CIPCapital Improvement Program	RDA Redevelopment Agency
CMACongestion Management Agency	RFP Request for Proposals
CNGCompressed Natural Gas	RFQ Request for Qualifications
COFCity of Fremont	RHNA Regional Housing Needs Allocation
COPPSCommunity Oriented Policing and Public	ROP Regional Occupational Program
Safety	RRIDRO Residential Rent Increase Dispute
CSACCalifornia State Association of Counties	Resolution Ordinance
CTCCalifornia Transportation Commission	RWQCB Regional Water Quality Control Board
dBDecibel	SACNET Southern Alameda County Narcotics
DEIRDraft Environmental Impact Report	Enforcement Task Force
DODevelopment Organization	SPAA Site Plan and Architectural Approval
DU/ACDwelling Units per Acre	STIP State Transportation Improvement
EBRPDEast Bay Regional Park District	Program
EDAC Economic Development Advisory	TCRDF Tri-Cities Recycling and Disposal Facility
Commission (City)	T&O Transportation and Operations
EIREnvironmental Impact Report (CEQA)	Department
EISEnvironmental Impact Statement (NEPA)	TOD Transit Oriented Development
ERAFEducation Revenue Augmentation Fund	TS/MRF Transfer Station/Materials Recovery
EVAW Emergency Vehicle Accessway	Facility
FARFloor Area Ratio	UBC Uniform Building Code
FEMAFederal Emergency Management Agency	USD Union Sanitary District
FFDFremont Fire Department	VTA Santa Clara Valley Transportation
FMCFremont Municipal Code	Authority
FPDFremont Police Department	WMA Waste Management Authority
FRCFamily Resource Center	ZTAZoning Text Amendment
3	• • • •

		MEETING AND CHA		
Date	Time	Meeting Type	Location	Cable Channel 27
March 10, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 17, 2009		Cancelled		
March 24, 2009	6:00 p.m. 7:00 p.m.	Special Work Session; City Council Meeting	Council Chambers	Live
March 31, 2009 (5 th Tuesday)		No Meeting		
April 7, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 14, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 21, 2009	TBD	Work Session	Council Chambers	Live
April 28, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 4, 2009 (Monday)	4:00 p.m.	Joint City Council/FUSD Mtg.	Council Chambers	Live
May 5, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 12, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 19, 2009	TBD	Work Session	Council Chambers	Live
May 26, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 2, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 9, 2009	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 16, 2009	TBD	Work Session	Council Chambers	Live

City Council Meeting

No Meeting

June 23, 2009

June 30, 2009 (5th Tuesday) 7:00 p.m.

Council

Chambers

Live